

REMARKS

Claim Amendments

In the present application, claims 2, 13, 20, 32, 37 and 38 are currently amended to address clerical issues. No new matter is added by these amendments. Specifically, claims 2 and 20 are amended to remove the double occurrence of trichloromelamine, and claims 37 and 38 are amended to correct the spelling of “chloramine-T”. Claims 13 and 32 are also amended to correct obvious clerical errors.

Restriction and Election Requirements

Claims 1-45 are currently pending and subject to Restriction. According to the September 28, 2010 Office Action, the application contains the following inventions:

- | | |
|----------|---|
| Group I | Claims 1-7 and 10-41, drawn to an antimicrobial composition which comprises a chloronitrile, urea, and water; and |
| Group II | Claims 8-9 and 42-45, drawn to an antimicrobial composition which does not comprise a chloronitrile, but rather only comprises a germicide, urea and water. |

Applicants hereby elect, with traverse, **Group I, claims 1-7 and 10-41** for search and examination on the merits only.

The Patent Office has further required election of species of chloronitrile and a single species of germicide, and an identification of which claims are readable on the elected species. In response, Applicant elects **chlorothalonil** as the species of chloronitrile and **trichloromelamine** as the species of germicide for searching purposes and prosecution on the merits only.

Applicants believe that claims 1-4, 6, 11-28 are readable on the elected species.

Respectfully, Applicants request that claims 8-9 and 42-45 be searched and examined along with the Group I claims, for at least the following reasons. According to MPEP § 803:

If the search and examination of all the claims in an application can be made without serious burden, the examiner must examine them on the merits, even though they include

claims to independent or distinct inventions.

Applicants respectfully maintain that regardless of whether Groups I and II represent independent or distinct inventions, because the Group II claims are closely related, the search and examination of all claims can be made without serious burden.

CONCLUSION

The Attorney for Assignee believes he has responded to each matter raised in the Office Action. Should the Examiner have further questions or comments with respect to examination of this case, it is respectfully requested that the Examiner telephone the undersigned attorney so that further examination of this application can be expedited.

It is not believed that extensions of time or fees for net addition of claims are required, beyond those which may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 C.F.R. §1.136(a), and any fee required therefor (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 19-5029.

Respectfully submitted,

Date: October 14, 2010

/David E. Wigley/
David E. Wigley
Attorney for Assignee
Reg. No. 52,362

SUTHERLAND ASBILL & BRENNAN LLP

999 Peachtree Street, NE

Atlanta, GA 30309-3996

Telephone: (404) 853-8072

Facsimile: (404) 853-8806

Attorney Docket No.: 24004-0018